

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

P.S. - Panchayat Raj Engineering Department – Allegations of failure to perform the legitimate official duties to identify the grave irregularities executed certain road works in Mahabubnagar District against Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar – Disciplinary proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 590

Dated: 10.04.2012

Read:

ORDER:

It is proposed to hold an inquiry against Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar, in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Service (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and list of witnesses, by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar, is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte.

6. Attention of Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar, is invited to Rule 24 of the A.P. Civil Service (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R. BISWAL

PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control,
Mahabubnagar through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to :

The General Administration (V&E) Department.

The Secretary to V.C., APVC, Hyderabad.

// FORWARDED::BY::ORDER //

SECTION OFFICER

ANNEXURE – I

Statement showing the Article of Charges against Sri B. V. Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar.

CHARGE:

That Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig & Quality Control, Mahabubnagar has failed to perform his legitimate official duties as he has failed to identify the grave irregularities executed in the works which were observed by the V&E.

BASIS:

The V&E Officials have verified the following (5) road works in Bomaraspeta (M) of Mahabubnagar District, taken up under NABARD RIDF-XII grant and Rajiv Pallebata.

- 1) Providing BT on Road from Dudyal to Logcherla of Bomaraspeta (M).
- 2) Providing BT on Road from PWD Road to Karkalagandi Thanda of Bomaraspeta (M).
- 3) Providing BT on Road from PWD Road to Polepally Pallagadda of Bomaraspeta (M).
- 4) Providing BT on Road from PWD Road to Satrakunta Thanda of Bomaraspeta (M).
- 5) Providing metalling on Road from PWD Road to Sunderkunta Thanda of Bomaraspeta (M).

The V&E Department made the following observations vide Vigilance Report No.70 (480/V&E/E2/2009), dt:27.09.2011.

- I. Deficiencies like less weight in WBM layers, oversize in metal, deficiency in bitumen content is noticed in the works and the details of recoveries proposed are as below:

Sl.No.	Nature of deficiency	Amount of recovery in Rs.			Work No.	
		(1)	(2)	(3)	(4)	(5)
1	Substandard quality of Gravel	2,42,508	3,33,860	3,60,002	2,46,482	1,67,629
2	Less weight in Grade-III metal	1,88,156	-----	24,208	-----	-----
3	Less weight in Grade-II metal	87,169	18,142 (40 mm metal)	12,648	-----	-----
4	Oversize in Grade-II metal	56,349	19,446(65 mm metal)	28,632	32,911	22,519
5	Oversize in Grade-III metal	34,943	64,184 (40 mm metal)	20,649	14,122	-----
6	-----	-----	-----	-----	-----	-----
7	Deficit thickness in CC pavement	-----	-----	-----	2,38,101	-----
8	Excess measurements recorded	-----	-----	16,017	-----	-----
	Total	6,09,125	4,36,032	4,62,156	5,31,616	1,90,148

- II. On physical verification of the following works it was observed that the provision of surface dressing in single coat was not executed but recorded and paid to the agency. The works and amounts are as below.

S.No	Work No.	Amount of Recovery in Rs.
1.	(1)	3,25,096
2.	(3)	1,98,710
3.	(4)	1,42,757
	TOTAL	6,66,563

- III. Tests conducted on core samples extracted from hardened concrete of CC pavement for assessment of strengths and verification of strengths reveal that the strengths are not

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satisfying relevant standards and shortfall in thickness is more than the allowable of 25 mm in following works and as such the pavements shall be removed and reconstructed at the cost of the contractor. The rejected value of the work and work No. are as below.

S.No	Work No.	Amount of Recovery in Rs.
1.	(1)	7, 15,534
2.	(2)	2,44,616
3.	(3)	5,95,341
	TOTAL	15,55,491

- IV. Bitumen extraction tests conducted on bitumen samples of OGPC to assess the bitumen content reveal shortfall which are more than the allowable of 15% in respect of following works and as such the bitumen layers are to be rejected and relaid at the cost of the contractor. The rejected value of work and work No. are as below.

S.No	Work No.	Amount of Recovery in Rs.
1.	(1) (KMs 1/0 to 2/0 , 3/0 to 4/0 and 4/0 to 4/4)	10,03,071
2.	(4)(KM 1/0 to 1/8)	2,99,220
	TOTAL	13,02,291

- V. Less width of formations is observed in KM 0/760, 1/250 and 1/650 in respect of work (1), in KM 0/630, 1/150, 1/910 and 2/350 in respect of work (2), in KM 0/650, 1/250, 1/620 and 2/180 in respect of work (3) in KM 0/170 , 0/690 and 1/ 300 in respect of work (4), in KM 0/750 and 1/190 in respect of work (5) and are to be rectified.
- VI. In respect of work (1) the contractor had insured the work for construction period only and that too in his name as against the SE's name. Insurance was also not covered for the maintenance period which has to be rectified. In respect of work (3) insurance was taken for construction period only. The agreement concluding authority i.e. the SE failed to notice the above deficiency.
- VII. Undulations are observed in BT surface in the entire reach from KM 0/0 to KM 4/4 in work (1).
- VIII. In all the works the field engineers have not conducted quality control tests such as Sieve Analysis of coarse aggregate, Aggregate Impact Value and Bitumen extraction tests and made the payments to the contractors.
- IX. In respect of work (2)
- Bitumen surface is distributed and sunken in the culvert portion at KM 0/6-8. Surface is damaged and pot holes are formed in KM 1/0 to 1/200. BT surface is worn out and damaged in KM 0/7 to 0/9, KM 1/300 to 1/900 and in KM 0/450 to 2/600.
 - Cement concrete surface is worn out and coarse aggregate is exposed from KM 0/900 to 1/0.
 - KM stones and HM stones are missing in the entire reach.
- X. In respect of work (3), the undulations that are observed in the BT surface in the entire reach from KM 0/0 to 2/4 are to be rectified.
- XI. In respect of work (5), even though the agreement period was expired by 11.05.2008 no proposals for EOAT were made as on the date of inspection i.e. on 06.11.2009 which is a lapse on the part of field officials.

Therefore, Sri B.V.Subba Rao, formerly Deputy Executive Engineer, PR, Vig. & Quality Control, Mahabubnagar has failed to discharge his legitimate duties properly. Thus his action is in violation of A.P.C.S. (Conduct) Rules, 1964.

Hence the charge.

C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE –II

List of documents for which the articles of charges are proposed to be sustained

Vig & Enforcement Report No. 70 (480/V&E/E2/2009), dt:27-09-2011.

**C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT (PR)**

SECTION OFFICER

ANNEXURE –III

List of witnesses by whom the articles of charges are proposed to be sustained

-NIL-

**C.R. BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT (PR)**

SECTION OFFICER